

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 29 September 2022

Agenda Item No	Topic	Decision
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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

A1	<p>APPLICATION TO VARY A PREMISE LICENSE - RAINHAM OFFY & CONVENIENCE, 8 ELMER GARDENS, RAINHAM, RM13 7BS</p>	<p style="text-align: right;">Licensing Act 2003 Notice of Decision</p> <p>PREMISES Rainham Offy & Convenience 8 Elmer Gardens Rainham RM13 7BS</p> <p>APPLICANT Mr Jathukulan Kailayanathan</p> <p>1. Details of requested licensable activities This application to vary a premises licence is made by Mr Jathukulan Kailayanathan under s.34 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 1 August 2022.</p> <p>Details of the application</p> <p>Current premises licence hours:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <th colspan="3">Off-supplies of alcohol</th></tr> <tr> <th>Day</th><th>Start</th><th>Finish</th></tr> <tr> <td>Monday to Sunday</td><td>10:00</td><td>23:00</td></tr> </table>	Off-supplies of alcohol			Day	Start	Finish	Monday to Sunday	10:00	23:00
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		<p>Variation applied for:</p> <table border="1" data-bbox="842 507 1554 647"> <tr> <th colspan="3">Off-supplies of alcohol; hours premises open to the public</th></tr> <tr> <th>Day</th><th>Start</th><th>Finish</th></tr> <tr> <td>Monday</td><td>07:00</td><td>23:00</td></tr> </table> <p>The varied hours listed above have been reduced in consultation with Havering's Environmental Health team from the originally sought hours of 06:00 to 00:00.</p> <p>The application also seeks to vary the site's premises plans.</p> <p>Comments and observations on the application</p> <p>The applicant acted in accordance with regulations 25 and 26 of <i>The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005</i> relating to the advertising of the application.</p> <p><u>SUMMARY</u></p> <p>The Licensing Sub-Committee has considered an application to vary a premises licence for Rainham Offy & Convenience, situated at 8 Elmer Gardens Rainham RM13 7BS and representations against the application have been received from a local resident against the application. No Responsible Authority made representation against the application.</p> <p>The Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State's National Guidance created under S.182 of the Licensing Act and the Council's own Statement of Licensing Policy.</p>	Off-supplies of alcohol; hours premises open to the public			Day	Start	Finish	Monday	07:00	23:00
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		<p>Where relevant representations are made, the authority must hold a hearing and then take such steps as it considers necessary for the promotion of the licensing objectives. These steps may include rejecting the whole or part of the application, or modifying the conditions to the extent that the authority considers necessary for the promotion of the licensing objectives</p> <p>Decision: granted.</p> <p>Having read representations from the single resident, the members found that there was no evidence presented that varying the application will undermine the licensing objectives. The Sub-Committee also noted that no responsible authorities made representations against the application, in particular the Police, who are their main source of advice with regard to crime and disorder.</p> <p>Therefore, the licence is varied as follows:</p> <p>Premises' Opening and Closing Times:</p> <p>Monday to Sunday 07:00 to 23:00 hours</p> <p>Licensable Activities:</p> <p>The provision of off sales of alcohol; Monday to Sunday 07:00 to 23:00 hours.</p> <p>Premises plans;</p> <p>Varied as applied for in copy of the application.</p>

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		<p>Right of Appeal</p> <p>Any party who has made a relevant representation may appeal to the Magistrates' Court <u>within 21 days of notification of the decision</u>.</p> <p>On appeal, the Magistrates' Court may:</p> <ol style="list-style-type: none"> 1. Dismiss the appeal; or 2. Substitute the decision for another decision which could have been made by the Sub Committee; or 3. Remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. Make an order for costs as it sees fit.
A1		
A2		